

The Law Office of Mike Beede, PLLC
Michael Beede, Esq.
Nevada State Bar No. 13068
2300 W. Sahara Ave. #420
Las Vegas, NV 89102
T: 702-473-8406
F: 702-832-0248
mike@legally.com
Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TBES Investments, LLC,

Plaintiffs,

vs.

RUBEN REYES; CHRISTIAN IVAN REYES; BAYVIEW LOAN SERVICING, LLC; BANK OF AMERICA, N.A.; HOLLYWOOD RANCH HOA; and DOES 1 through 10, inclusive; ROE CORPORATIONS 1 through 10, inclusive

Defendants,

CASE NO. 2:15-cv-01352-APG-GWF

STIPULATION AND ORDER TO:

WITHDRAW NOTICE OF NON-OPPOSITION FILED BY BAYVIEW LOAN SERVICING LLC AND BANK OF AMERICA, NA AND SET PLAINTIFF'S DEADLINE TO RESPOND TO DEFENDANT'S MOTION TO DISMISS

1. Defendants BAYVIEW LOAN SERVCING LLC AND BANK OF AMERICA, NA filed their Motion to Dismiss in the Eight Judicial District Court of Nevada on July 6, 2015.
2. Defendants' records indicate that Plaintiff was registered for electronic service and Defendant did effectuate electronic service in accordance with the attached Certificate of Service indicating that Plaintiffs were served through the Electronic Filing System.
3. A comprehensive search of Plaintiff's records revealed that no service of the Motion

was effectuated on plaintiff's counsel.

4. It appears an error with the Electronic Filing System caused an error through no fault of either party.
5. This action was removed to United States District Court on July 16, 2015.
6. Plaintiff fully intends to defend against Defendants' motion.
7. Plaintiff's counsel became aware of Defendants' Motion when the Notice of Non-Opposition was filed.
8. Defendants' counsel became aware of the failure of service on August 5, 2015 after the Notice of Non-Opposition was filed.
9. The parties agreed to withdraw the Notice of Non-Opposition and extend the briefing deadlines with regard to the Motion to Dismiss.

STIPULATION

Plaintiff TBES Investments, LLC, BAYVIEW LOAN SERVCING LLC AND BANK OF AMERICA, NA, through their attorneys of record, hereby stipulate and request that the Court make this stipulation an order of the Court:

1. That the Notice of Non-Opposition filed by Defendant BAYVIEW LOAN SERVCING LLC AND BANK OF AMERICA, NA on August 5, 2015 be withdrawn, and have no effect on the instant case.

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2. That Plaintiff shall file Opposition no later than August 10, 2015 to Defendants' Motion to Dismiss, and that plaintiff suffer no adverse consequence as a result of the delay in its response.
3. That Defendants' shall have until August 27, 2015 to file a Reply in Support of its Motion to Dismiss.

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/s/ Michael Beede
Michael N. Beede, Esq.
Nevada State Bar No. 13068
2300 W Sahara Ave., Suite 420
Las Vegas, NV 89102
Telephone (702) 473-8406
Facsimile (702) 832-0248
Attorney for Plaintiffs

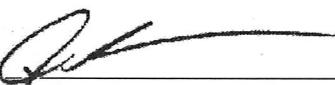
WRIGHT, FINLAY & ZAK, LLP

/s/ Natalie C. Lehman
Dana Jonathon Nitz, Esq.
Nevada Bar No. 000050
Natalie C. Lehman, Esq.
Nevada Bar No. 12995
7785 W. Sahara Ave., Suite 200
Las Vegas, NV, 89117
*Attorneys for Defendants, Bayview
Loan Servicing, LLC and Bank of
America, N.A.*

ORDER

IT IS SO ORDERED

DATED this 5th day of August, 2015.



UNITED STATES DISTRIC COURT JUDGE